

Where is Exhibit 11?



Members of the Jury:

I have received your note asking for Exhibit 11 to be sent up to your jury room. The Court determined during the trial that that exhibit would not be admitted into evidence. As I told you in my instructions, "I have no additional evidence or instructions to give you; you have now all that is appropriate and available for you to reach a verdict."

Judge Barker
Judge Barker

2:40 pm/note receive
3:15 pm/response sent

March 3, 2010

I have been provided a copy of the question that the jury sent out at approximately 2:40 p.m., which has been given to me, and I have discussed it as well as the Court's proposed response, which has also been given to me, with my attorney, Mr. McKinley.

I have no questions to put to the Court directly on this matter or objections, and I consent to this response being given to the jury during their deliberations, as evidenced by my signature below.

Dale Russell, Defendant

Jim McKinley, Attorney at Law

March 3, 2010

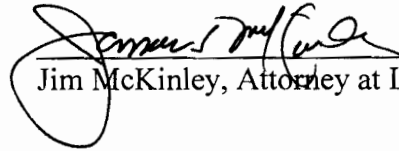
Time: _____

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Jim McKinley, Attorney at Law

March 3, 2010

Time: 3:15 P.M.